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14
15 **UNITED STATES DISTRICT COURT**
16
17 **DISTRICT OF NEVADA**

18 MICHAEL BENEDICT, an individual,

19 Plaintiff,

20 vs.

21 STATE FARM MUTUAL AUTOMOBILE
22 INSURANCE COMPANY, a Foreign
Corporation; DOES I-V; and ROE
CORPORATIONS VI-X,

23 Defendants.

24 CASE NO.: 2:21-cv-00245-RFB-NJK

25 **STIPULATION AND [PROPOSED]**
ORDER TO EXTEND THE
DEADLINE FOR PLAINTIFF
MICHAEL BENEDICT TO FILE HIS
RESPONSE TO DEFENDANT STATE
FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY'S MOTION
FOR SUMMARY JUDGMENT (ECF
No. 53)

26 **(Second Request)**

27 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff
28 MICHAEL BENEDICT, through his counsel of record, Dennis M. Prince and Kevin T.
Strong of PRINCE LAW GROUP and Craig W. Drummond and Liberty A. Ringor of



1 DRUMMOND LAW FIRM; and Defendant STATE FARM MUTUAL AUTOMOBILE
 2 INSURANCE COMPANY, through its counsel of record, Robert W. Freeman and Cheryl
 3 A. Grames of LEWIS BRISBOIS BISGAARD & SMITH LLP, that the deadline for
 4 Plaintiff to file his Response to Defendant State Farm Mutual Automobile Insurance
 5 Company's Motion for Partial Summary Judgment as to Plaintiff's Second, Third,
 6 Fourth, Fifth, and Sixth Causes of Action, currently scheduled for Monday, November
 7 28, 2022, based on the parties' pending Stipulation and Order, filed October 18, 2022,
 8 shall be extended by twenty-two (22) days to Tuesday, December 20, 2022.¹ Defendant
 9 filed its Motion for Partial Summary Judgment on October 7, 2022. This is the parties'
 10 second request for extension of time. The parties hereby submit their Stipulation and
 [Proposed] Order in accordance with LR IA 6-1.

11 The parties respectfully request an additional extension of time due to
 12 extenuating circumstances. The parties originally stipulated to allow Plaintiff an
 13 extension of time to file his Response to the pending motion for partial summary
 14 judgment to accommodate a mediation that the parties scheduled for November 9, 2022
 15 before the Honorable Justice Abbi Silver (Ret.). Unfortunately, the mediation was
 16 unable to proceed in a meaningful way due to logistical issues with the State Farm
 17 attendee. As a result, the parties rescheduled the mediation for December 6, 2022.
 18 Additionally, a miscommunication arose between Plaintiffs' respective counsels
 19 regarding the preparation of Plaintiff's Response to Defendant's Motion for Partial
 20 Summary Judgment. As a result, Defendant has agreed to allow Plaintiff additional
 21 time to prepare his Response. The parties' requested extension of time will ensure that
 22 both parties properly address the issues pending before this Court should this matter
 23 not resolve by way of the December 6, 2022 mediation.

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27 ¹ The parties' first stipulation and order to extend the deadline for Plaintiff to file his
 28 Response to Defendant's Motion for Partial Summary Judgment, filed on October 18,
 2022, remains pending approval. (ECF No. 55).

1 To effectuate the purpose of the original stipulation and order submitted, the
2 parties respectfully request this Court to approve the foregoing stipulation. The parties'
3 requested extension is not made in bad faith or to cause any unnecessary delay.

4 DATED this 28th day of November, 2022. DATED this 28th day of November, 2022.

5 **PRINCE LAW GROUP**

7 /s/ Kevin T. Strong
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8 /s/ Cheryl A. Grames
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13 Attorneys for Defendant
State Farm Mutual Automobile Insurance
14 *Company*

15
16 **ORDER**

17 **IT IS SO ORDERED:** [55] Stipulation for Extension of time is denied as moot.

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25 **RICHARD E. BOULWARE, II**
United States District Court

26 DATED this 29th day of November, 2022.

CERTIFICATE OF SERVICE

Pursuant to LR 5-1 and FRCP 5(b), I hereby certify that I am an employee of PRINCE LAW GROUP and that on the 28th day of November, 2022, I electronically filed the foregoing document entitled **STIPULATION AND [PROPOSED] ORDER TO EXTEND THE DEADLINE FOR PLAINTIFF MICHAEL BENEDICT TO FILE HIS RESPONSE TO DEFENDANT STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY'S MOTION FOR SUMMARY JUDGMENT (ECF No. 53) (Second Request)** with the Clerk of the Court using the CM/ECF system, which sent a notice of electronic filing to the following:

Robert W. Freeman

Robert W. Freeman
Cheryl A. Grames

Cheryll A. Craines
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/s/ Kevin T. Strong

An Employee of Prince Law Group